

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

v.

AUDIBLE MAGIC CORPORATION,

Defendant.

Civil Action No. 6:15-cv-00584-RWS-CMC

AUDIBLE MAGIC CORPORATION,

Counterclaim Plaintiff,

v.

BLUE SPIKE, LLC, BLUE SPIKE, INC.,
and SCOTT A. MOSKOWITZ,

Counterclaim Defendants.

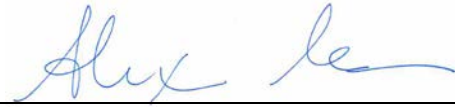
**DECLARATION OF ALEXANDRA H. MOSS IN SUPPORT OF REPLY IN SUPPORT
OF OPPOSED MOTION OF THE ELECTRONIC FRONTIER FOUNDATION TO
UNSEAL COURT RECORDS**

I, Alexandra H. Moss, declare,

1. I am an attorney with the law firm of Durie Tangri LLP, counsel for Intervenor the Electronic Frontier Foundation (“EFF”) in the above-captioned matter. I have personal knowledge of the facts set forth herein, and if called upon to testify, I could and would testify competently and completely to the statements made herein.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Ryan Davis, Federal Circuit Judges Detail Pet Peeves About Patent Litigants, Law360, April 11, 2016, <https://www.law360.com/articles/783099/fed-circ-judges-detail-pet-peeves-about-patent-litigants>.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and accurate to the best of my knowledge. Executed this 12th day of May, 2016 in San Francisco, California.

A handwritten signature in blue ink, appearing to read "Alex H. Moss", is written over a horizontal line.

ALEXANDRA H. MOSS

CERTIFICATE OF SERVICE

I, Mark A. Lemley, hereby certify that on May 12, 2016 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Mark A. Lemley

Mark A. Lemley